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Salina Human Relations

“ ... with liberty and justice for all.”

THE MISSION OF THE SALINA HUMAN RELATIONS COMMISSION IS TO ELIMINATE DISCRIMINATION AND TO ESTABLISH EQUALITY AND JUSTICE FOR ALL PERSONS WITHIN THE CITY OF SALINA THROUGH CIVIL RIGHTS ENFORCEMENT, ADVOCACY AND EDUCATION.

Justice Department proposes ADA version 2.0

Three days before America celebrated the 20th anniversary of the landmark Americans with Disabilities Act, the Justice Department announced new proposals to help bring ADA into the 21st century.

The four new proposals will address the accessibility of websites, the provision of captioning and video description in movies shown in theaters, accessible equipment and furniture, and the ability of 911 centers to take text and video calls from individuals with disabilities.

The announcement came on July 23, three days shy of the 20th anniversary of President H.W. Bush's signing of ADA into law on July 26, 1990.

“We are working hard to ensure that the ADA keeps up with technological advances that were unimaginable 20 years ago,” Attorney General Eric Holder said. “Just as these quantum leaps can help all of us, they can also set us back — if regulations are not updated or compliance codes become too confusing to implement.”

The proposals are in the form of advance notices of proposed

rulemaking (ANPRMs), which provide information on these ADA issues and ask questions seeking comments and information from the public. More information is available at: www.ada.gov/anprm2010.htm.

Feds step up efforts to hire disabled employees

The Obama administration and Congress are taking steps to give the disabled greater access to federal jobs and technology, the Washington Post reported in its July 28 edition.

Under a new executive order from President Obama, federal agencies will step up efforts to hire 100,000 disabled employees over the next five years.

According to a report released last week by the Equal Employment Opportunity Commission, workers with targeted disabilities — such as deafness, blindness, missing extremities, mental retardation and partial or complete paralysis — represent less than 1 percent of the federal workforce.

The order directs the Office of Personnel Management, in consultation with the Labor Department, the EEOC and the Office



AMERICA CELEBRATED the 20th anniversary of the Americans with Disabilities Act on July 26. President H.W. Bush signed the act into law on July 26, 1990, saying: “I now lift this pen to sign the Americans with (Disabilities) Act and say let the shameful way of exclusion finally come tumbling down.” The act banned workplace discrimination against qualified people with disabilities and required improved access to public places and transportation.

of Management and Budget, to design strategies within 60 days for recruiting and hiring disabled workers.

Personnel managers at govern-

ment agencies now must be trained in employing the disabled, and agencies will be required to develop plans for recruiting and retaining workers.

Judge's ruling on Arizona law blocks provisions, at least for now

By Gina McDonald
Director, SHRC

"They that can give up essential liberty to obtain a little safety deserve neither liberty nor safety." — Ben Franklin

The Arizona Law which has created so much controversy, SB 1070, was set to go into effect on July 29. However, the U.S. Justice Department filed a request for an injunction and U.S. District Court Judge Susan Bolton granted it in part, blocking the law's most controversial elements.

The purpose of the law "Requires officials and agencies of the state and political subdivisions to fully comply with and assist in the enforcement of federal immigration laws and gives county attorneys subpoena power in certain



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investigations of employers." It also "establishes crimes involving trespassing by illegal aliens, stopping to hire or soliciting work under specified circumstances, and transporting, harboring or concealing unlawful aliens, and their respective penalties."

If it had gone into effect, the law would have required that police and all other government officials check immigration status if there is any question.

Judge Bolton ruled that some aspects of the law could go into effect as scheduled on July 29.

But she blocked parts of the law that have generated the most controversy, for example, sections that require officers to check the immigration status of those who are detained or arrested, as well as the requirement that immigrants carry their papers at all times.

Judge Bolton put those sections on hold while she continues to hear the larger issues in

the challenges to the law.

The judge agreed with the Obama administration that the law would adversely affect federal authority to set U.S. immigration policy.

This is a preliminary injunction, which means Judge Bolton will hear more testimony before making a final ruling.

The Fremont Nebraska law, which had many of the same requirements as the Arizona law, also was recently due to take effect. However, city officials determined that the potential cost of defending the law in the courts might overwhelm the city budget, so that law is also on hold for now.

There will be more discussion and debate on immigration. There does not seem to be any movement from Congress to address the issue before the mid-term elections in November.

You can e-mail Gina at
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Medical history information now protected by law

The federal Equal Opportunity Employment law prohibits discrimination against employees or prospective employees based on their race, color, national origin, sex, religion, age — and now, genetic information.

In November 2009, Title II of the Genetic Information Nondiscrimination Act (GINA) went into effect. Under the act, it is illegal to discriminate against employees or applicants because of genetic information.

In general, the act was intended to prevent employers from making employment decisions based on medical history. For example, an employer may be hesitant to hire or promote someone with a family history of cancer because of a perception that the person would be more likely to contract cancer and therefore miss time at work and/or adversely affect the company's health insurance plan.

The law forbids discrimination on the basis of genetic information when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits or any other term or condition of employment. An employer may

never use genetic information to make an employment decision because it doesn't tell the employer anything about someone's current ability to work.

Under GINA, it is illegal to fire, demote, harass, or otherwise "retaliate" against an applicant or employee for filing a charge of discrimination, participating in a discrimination proceeding (such as a discrimination investigation or lawsuit) or otherwise opposing discrimination.

There are six narrow exceptions to the prohibition against acquiring genetic information, such as inadvertent acquisition (such as overhearing someone talk about a family member's illness); information obtained as part of a health or wellness program; or if it is obtained through commercially and publicly available documents such as newspapers.

L. Jack Vasquez, administrative judge for the Equal Employment Opportunity Commission's St. Louis District Office, made a presentation on GINA during a July 22 seminar in Kansas City, Mo., which was attended by Salina Human Relations staff.

Calendar of Community Events

Aug. 4: Youthville informational meeting to learn about becoming a foster parent, University United Methodist Church, 1509 S. Santa Fe, 6-7 p.m. For more information, visit www.youthville.org.

Aug 5-7: League of Women Voters booth at Tri-Rivers Fair, Heritage Hall, Bicentennial Center.

Aug. 5: NovelNotes/First Thursday Art Rush, 5-7 p.m., Salina Public Library, live music in the south lounge by Sara Hocking, refreshments provided.

Aug. 6: Adult Summer Reading Program summer-end celebration, live music, gift baskets, prizes, Salina Public Library lobby, 6:30-8 p.m.

Aug. 6: CPR for the professional rescuer, 8 a.m.-4:30 p.m., 145 S. Broadway.

Aug. 9: Monday Night Book Discussion, "A Town Like Alice," by Nevil Shute, Salina Public Library tech center conference room, 7 p.m.

Aug. 10: Registration opens for fall semester of CLASS, catalogs available in the Salina Journal or online at www.salinaclass.com.

Aug. 10: Salina Human Relations Commission monthly meeting, 5:30 p.m., Room 105, City-County Building, public is invited.

Aug. 13: Art exhibit by Anne Nye opens in Café Choices Gallery, Salina Public Library.

Aug. 15: NAACP-Salina monthly meeting, 3 p.m., Salina Art Center, 242 S. Santa Fe, public is invited.

Aug. 18: Brown Mackie College grand opening for new South Ohio Annex that provides programs in occupational therapy assistant, criminal justice and vet tech, 3-5 p.m., 2525 S. Ohio.

Aug. 20: "Connections of the Heart" fundraiser for Volunteer Connection, 5-7 p.m., Christ Episcopal Church Parish Hall, 138 S. Eighth, includes silent auction of original art, jewelry and quilted items and light refreshments.

Aug. 20-21: Personalized workshop on budgeting by Lee Sankey of the Kansas Area United Methodist Foundation, 6-9 p.m. on Aug. 20 and 8:30 a.m.-3 p.m. on Aug. 21, \$10 for individuals and \$12 for couples, childcare available, call 825-9505.

Aug. 27: Puppet Theater, 4 p.m., Salina Public Library.

Aug. 28: Community first aid and safety training (includes adult, child and infant CPR), 8 a.m.-4 p.m., 145 S. Broadway.

Aug. 30: Salina League of Women Voters annual membership meeting featuring Judge Deanell Reece Tacha, past chief judge of the U.S. 10th District Court of Appeals, speaking on the value of diversity among judges, 7 p.m., Prescott Room, Salina Public Library.

Aug. 30: "What Kids Really Need" presented by Vicki Price, CAPS education director, 6-8 p.m., First Presbyterian Church, 308 S. 8th.

Visit our online calendar at
www.human.salina.org